United Nations Convention on the Law of the Sea SPLOS/281

Meeting of States Parties

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Twenty-fifth meeting
New York, 8-12 June 2015

Election of one member of the Commission on the Limits of the Continental Shelf

Note by the Secretary-General

1. In accordance with article 2, paragraph 2, of annex II to the United Nations Convention on the Law of the Sea, the Secretary-General addressed a communication dated 23 January 2015 to States parties informing them of a vacancy in the Commission on the Limits of the Continental Shelf owing to the resignation of George Jaoshvili (Georgia) on 16 January 2015.

2. It is recalled that rule 72 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4) provides that, if the office of a member of the Commission becomes vacant, the Meeting of States Parties shall, in accordance with rule 71, elect a member for the remainder of the predecessor's term. Rule 71 provides that the elections of the members of the Commission shall take place in accordance with article 76 and annex II to the Convention.

3. Correspondingly, rule 8 of the Rules of Procedure of the Commission (CLCS/40/Rev.1) provides that, if a member of the Commission dies or resigns or for any other cause can no longer perform his or her duties, the Meeting of States Parties to the Convention shall elect a member for the remainder of the predecessor's term. Such by-elections shall be carried out in accordance with article 76 and annex II to the Convention.

4. Article 2, paragraph 3, of annex II to the Convention provides that elections of the members of the Commission shall be held at a meeting of States parties convened by the Secretary-General at United Nations Headquarters.

5. In his communication dated 23 January 2015, the Secretary-General informed States parties that the election of one member of the Commission would be included in the provisional agenda of the twenty-fifth Meeting of States Parties, to be held at United Nations Headquarters from 8 to 12 June 2015 (see SPLOS/L.75).

6. In addition, States parties were invited to submit, from 2 February to 1 May 2015, nominations for the election of one member of the Commission, together with a statement of qualifications.

7. It is recalled that article 2, paragraph 1, of annex II to the Convention provides that the members of the Commission shall be experts in the field of geology, geophysics or hydrography.

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8. Article 2, paragraph 3, of annex II to the Convention provides that not less than three members of the Commission shall be elected from each geographical region. In that connection, it is recalled that the nineteenth Meeting of States Parties, held in June 2009, approved the arrangement for the allocation of seats on the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf (see SPLOS/203, paras. 96-102). According to the arrangement, as set out in document SPLOS/201, the allocation of seats on the Commission shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats. As from the next election, the Commission shall have the following composition: five members from the Group of African States; five members from the Group of Asian States; three members from the Group of Eastern European States; four members from the Group of Latin American and Caribbean States; three members from the Group of Western European and other States; and the remaining one member from among the Group of African States, the Group of Asian States and the Group of Western European and other States. This arrangement does not prejudice or affect future arrangements for elections. It is noted that the vacancy in the Commission occurred owing to the resignation of a member elected from the Group of Eastern European States.

9. Following the closure of the period of nominations on 1 May 2015, a list of candidates nominated by States parties was prepared by the Secretary-General, in accordance with article 2, paragraph 2, of annex II to the Convention and will be submitted to States parties as document SPLOS/282.

10. Subject to agreement at the Meeting, in accordance with established practice, the election would be held by secret ballot. In accordance with annex II to the Convention, two thirds of the States parties shall constitute a quorum. The person elected to the Commission shall be the one who has obtained a two-thirds majority of the votes of the representatives of the States parties present and voting. The member of the Commission thus elected will serve for the remainder of the predecessor's term and will be eligible for re-election.

11. In order to ensure the efficient conduct of the election, the credentials of representatives and the names of alternate representatives and advisers attending the Meeting should be transmitted to the Secretariat as soon as possible and no later than 24 hours after the opening of the Meeting on 8 June 2015, in accordance with rule 13, paragraph 1, of the Rules of Procedure for Meetings of States Parties. It is recalled that rule 13, paragraph 2, of the Rules of Procedure for Meetings of States Parties provides that the credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs or any person authorized by either of them.

12. In that connection, attention is drawn to the understanding reached at the twenty-third Meeting of States Parties (see SPLOS/263, para. 101), according to which, in keeping with rule 1 of the Rules of Procedure, Meetings of States Parties could be adjourned and resumed as required and would terminate when the next Meeting of States Parties is convened. Therefore, it is expected that the credentials will be valid for the period from 8 to 12 June 2015 and, to the extent practicable, also thereafter, until the convening of the twenty-sixth Meeting of States Parties.